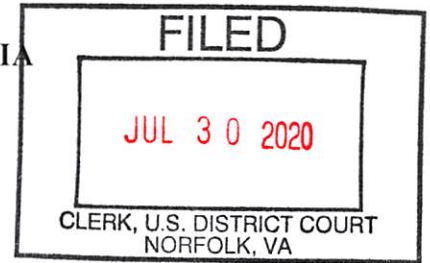


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



WILLIAM ROGOPOULOS, #1415219,

Petitioner,

v.

ACTION NO. 2:19cv649

UNKNOWN,

Respondent.

FINAL ORDER

Petitioner William Rogopoulos (“Rogopoulos”), a Virginia inmate, submitted a pleading challenging a detainer, which has been construed as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. ECF Nos. 1–2. The matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for report and recommendation.


The report and recommendation, filed June 10, 2020, recommends that Rogopoulos’ petition be dismissed without prejudice for failure to pay the filing fee. ECF No. 16. Each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. *Id.* No objections have been filed.

The Court, having reviewed the record, does hereby adopt and approve the findings and recommendations set forth in the report and recommendation. The Court, therefore, **ORDERS** that the petition for a writ of habeas corpus, ECF No. 1, is **DISMISSED WITHOUT PREJUDICE** for failure to pay the filing fee.

Rogopoulos has failed to demonstrate a “substantial showing of the denial of a constitutional right,” and, therefore, the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. *See Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003).

Rogopoulos is **ADVISED** that because a certificate of appealability is denied by this Court, he may seek a certificate from the United States Court of Appeals for the Fourth Circuit. Fed. R. App. P. 22(b); Rules Gov. § 2254 Cases in U.S. Dist. Cts. 11(a). **If Rogopoulos intends to seek a certificate of appealability from the Fourth Circuit, he must do so within thirty (30) days from the date of this Final Order. Rogopoulos may seek such a certificate by filing a written notice of appeal with the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510.**

The Clerk shall mail a copy of this final order to Rogopoulos and counsel of record for respondent.



Raymond A. Jackson
United States District Judge

Norfolk, Virginia
August 29, 2020